

OGC 76-3711

76-2674/3

1 July 1976

MEMORANDUM FOR: Director of Central Intelligence

FROM: Anthony A. Lapham
General Counsel

SUBJECT: Invitation to Speak to the Annual Convention
of the Federal Bar Association

I agree with the memorandum sent to you by Andy Falkiewicz on 29 June on this subject. The proposed format is two keynote speakers, of whom you would be one, followed by a discussion of the speeches by four panelists. The two panelists who have accepted are Mortin Halperin and Victor Marchetti. That does not promise much balance. I also agree with Andy on the need to coordinate with Senator Inouye.

STATINTL

[Redacted Signature]

Anthony A. Lapham

OGC:AAL:sin

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Remarks: Andrew, Mr. Bush is speaking to the N.Y. Chapter of the YPO group here at the Agency on September 17th from 10:30 a.m.-12:30 p.m. I called Mr. Metelski and extended Mr. B's regrets.					
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FORM NO. 1-67

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(EXECUTIVE REGISTRY FILE *Paul A. [Signature]*)

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Remarks:

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General Counsel

7/1/76

Executive Registry

76-2674/1

June 29, 1976

MEMORANDUM FOR: Director of Central Intelligence
FROM : Andrew T. Falkiewicz
Assistant to the Director
SUBJECT : Invitation to Speak to the Annual Convention
of the Federal Bar Association

The simultaneous invitation to you and Senator Inouye indicates to me the need for informal consultation with the Senator. If he is determined to accept, there would be a persuasive argument for your participation. I am bound to say, however, that that would be the only argument. Both the topic outline and the current line-up of discussants suggest to me a reenactment of played-out confrontations rather than a useful discussion. I hope that Senator Inouye would share this view.

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Andrew T. Falkiewicz

cc: OGC

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(EXCLUDED FROM THE Public Affairs)

EXECUTIVE SECRETARIAT

Routing Slip

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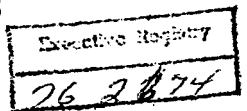
Remarks:

*For review & recommendation
to DCI*

Executive Secretary

28 June
Date

3637 (5-76)



OFFICE OF TELECOMMUNICATIONS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, D.C. 20504

GENERAL COUNSEL

June 24, 1976

Honorable George Bush
Director of Central Intelligence
Washington, D.C. 20505

Dear Mr. Bush:

In September of this year, the Federal Bar Association will hold its Annual Convention in Washington, D.C. As part of the Convention, several three-hour panels will be presented on current topics of interest to Association members and the public.

One of the panels has as its topic "Control of U.S. Intelligence Activities." As moderator of this panel and on behalf of the Federal Bar Association, I would like to respectfully extend an invitation to you to appear as one of the two principal speakers before this panel.

Background information regarding the nature and quality of programs at our conventions can be obtained from the Federal Bar Headquarters at (202) 638-0252. This year, panels (other than mine) at the Convention will include secretary of Labor W. J. Usery and Commissioner of Internal Revenue Donald C. Alexander as speakers.

With regard to the particular panel for which you are being solicited, I propose to have two keynote speakers who will deliver an address on the topic issue. (A suggested outline for the topic is enclosed.) As presently contemplated, this would be yourself and Senator Daniel K. Inouye, Chairman of the Senate Select Committee On Intelligence. After both of you have finished, four persons (functioning as the panel) would take turns discussing your speeches and making their own points on the issue(s). These four people will be selected from the enclosed list. The floor will be open for questions at the end of the panel. The date, time and place of the panel are:

- 2 -

September 17, 1976
9:00 AM - 12:00 Noon
Mayflower Hotel, Washington, D.C.

I sincerely hope you will be able to honor our Convention and this panel with your insight and opinion on this timely issue of control of U.S. intelligence activities--a subject having more than abstract significance for both the Executive and Legislative Branches of government.

If we could have a tentative indication from you by June 30, it would be most helpful in preparing literature and organizing the remainder of the panel. Please do not hesitate to contact me at 395-5616 (office) or 338-6903 (home) if you have any questions or would like to discuss this further.

Sincerely,



John B. Metelski
Counsel for National
Security Affairs

Enclosure

SUGGESTED TOPIC OUTLINE

PANEL TOPIC: Controlling U.S. Intelligence Activities

- A. The Purpose of Intelligence Activities
 - 1. Information collection, analysis, and dissemination
 - 2. "...other functions and duties..."
- B. The Congressional Investigations and Nature of the Revealed Problems
 - 1. Misconduct
 - 2. Abuse
 - 3. Other
- C. Current Proposals for Reform
 - 1. Congressional: "Senate Select Committee on Intelligence" (S.Res. 400)
 - 2. Executive:
 - a. "United States Foreign Intelligence Activities" (Executive Order 11905)
 - b. "Foreign Intelligence Surveillance Act of 1976" (H.R. 12750; S. 3197).
- D. Can Intelligence Activities Be Controlled?

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TRANSMITTAL SLIP		DATE	7/1/76
TO:		DCI	
ROOM NO.	BUILDING	Executive Dir-107	
		76-2732	
REMARKS:			
<p>I believe this is the material that Senator Baker is talking about (series beginning 6/29)</p>			
FROM:		[Redacted]	
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FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

Paul Baker

Senate spy probers give Russia 'a pass'

THE CIA AND THE FBI got a real working over in the Senate Intelligence Committee report for their failures and errors of judgment, and perhaps rightly so.

But in the zeal to bare the indiscretions of the American intelligence community, the activities of the Soviet spy apparatus in the United States almost totally have escaped notice.

The committee devoted a few chapters to the subject, deleted a lot of material because of national security, and then went on to defrock our intelligence agencies on a variety of grounds.

It was after all the committee's mandate to determine if all the horror stories about U. S. intelligence-gathering agencies were true and, if so, what Congress should do to assure such excesses were not repeated.

In that sense, the Senate committee and its counterpart in the House did the nation a genuine public service.

EVEN SOME OF the chieftains of the pilloried agencies had to concede that several of their activities did not belong in a Democratic society where individual rights are so highly prized.

In administering a purgative to the American intelligence agencies, however, the committee chaired by Sen. Frank Church [D., Idaho] effectively, if unwittingly, gave a pass to Russian spies operating on American soil.

Perhaps that was due largely to Church's presidential hopes and his need to hypo his then unannounced candidacy for the Democratic nomination with all the publicity he could wring from the Senate probe.

There weren't many headlines to be gained by talking about the threat of Soviet bloc operatives here. But a politically ambitious lad could get his profile on the boob tube regularly by shocking the pants off taxpayers with tales of gross American excesses.

Granted the committee did explore what the Russians were up to. It did pause long enough between taking whacks at the CIA and FBI to include a few paragraphs detailing the insidious Soviet presence in our midst.

BUT WHEN THE time came to dole out the committee's final report over several days, barely a printed or televised word emerged about what the Soviets were doing to the United States while they gleefully cackled over the public embarrassment of the CIA and FBI.

In an effort to inject a note of balance into the controversy still raging over American intelligence gathering methods, this column in the next few days will present some of the information about Soviet spies that the Church Committee compiled but failed to highlight.



First off, detente with Moscow has made the United States a helpless maiden cringing on a chaise lounge as Attila the Hun approaches. The flood of Soviet spies is alarming.

THEY ARE COMING from every direction and in every guise as they search for any crumb of information that will benefit their cause and hurt ours.

According to the Church Committee report, more than 40 per cent of the 1,079 diplomatically accredited Soviet officials permanently assigned here have been identified by the FBI as members of Kremlin spy agencies.

They belong either to the KGB, the civilian agency that concerns itself with Soviet national security at home and abroad, or the GRU, the lesser known Russian military intelligence service that functions only in foreign countries.

The extent of Soviet perfidy, however, does not end there.

Conservative estimates of the number of unidentified Russian intelligence officers stationed here boost the figure for Soviet spies operating under diplomatic guise to 60 per cent of Soviet representatives.

And according to some Kremlin defectors who have spilled the beans to the CIA and FBI, the number of Soviet officials with some form of intelligence connection ranges from 70 to 80 per cent.

NOW, IF ALL that was not bad enough, weigh these additional facts disclosed in the Church Committee report against the necessity for this country to maintain strong counterintelligence against Soviet inroads:

In the last 10 years, the FBI has identified more than a hundred Russian intelligence officers among the 400 Soviet students who have attended American universities under East-West student exchange programs.

At the same time, the Russians have used the growing benefits of detente by trying to recruit more than a hundred American students studying in the USSR to return to their homeland as undercover agents.

If you fail to find these facts sufficiently shocking, tune in tomorrow and this column will offer further revealing glimpses of the Soviet spy presence in our midst.

Boo Wiedrich

Soviet spies bore deep into U. S.

SOVIET BLOC spies have tried to recruit executive branch personnel of the American government as well as congressional staff members in Washington.

They have devoted special attention to Capitol Hill staffers with easy access to secret information, as well as code clerks, secretaries, and typists across whose desks intelligence vital to the Communist dream of world domination might flow.

They have hustled a wide cross section of other American citizens in the hope of developing undercover traitors or double agents and they have even attempted to influence the United States policy decisions by seeking to compromise informants at the highest levels.

THESE ARE SOME of the facts about Soviet spy operations in the United States by the two Russian intelligence agencies—the KGB and the GRU—that lie buried within the pages of the 12-volume report of the Senate Intelligence Committee, chaired by Sen. Frank Church [D., Ida.]

They tick out a warning about the Soviet threat to the national security of this country with the subdued ferocity of a time bomb.

But they have been largely ignored by the media, possibly because they are buried between more controversial chapters bulging with critical appraisals of the American intelligence community.

In short, the Church committee did its job by inquiring into both American intelligence operations and the Soviet spy apparatus in North America. However, it was remiss in failing to dramatize the menace posed to our national security by the U.S.S.R. and its network of espionage agents here.

ACCORDING TO the Senate report, about a third of the 10,000 personnel currently assigned to Soviet installations abroad are actually members of the KGB, the Russian civilian spy organization, or the military espionage group known as the GRU.

Rigid Kremlin control of Soviet trade, business, and media agencies provides added cover for KGB and GRU agents.

And the FBI has identified scores of other Soviet spies planted behind the facade of the United Nations administrative structure and such UN auxiliaries as the International Atomic Energy Agency and the International Telecommunications Union.

Don't be content, however, to settle for that measure of the Soviet spy presence in the United States.

As the Church committee so accurately pointed out, many of the Russian intelligence officers are also responsible for many informants who carry out the wishes and objectives of their Soviet masters.

A MAIN OBJECTIVE of the Soviet spies is the recruiting of turncoats both in the United States and in those foreign countries where there are U.S. installations of where American citizens live.

"Another objective is the recruitment and cultivation of 'agents of influence' or agents who can influence political events or decisions," the Senate report declared.

"Soviet intelligence also mounts technical operations against U.S. installations and personnel.

"Planting of microphones and installation of telephone taps is done on a massive scale in the U.S.S.R. and Soviet-oriented countries. The Soviets are more selective in the West, but they do conduct such operations.

"The primary targets are the offices and residences of U.S. ambassadors, senior foreign personnel, CIA officers, and defense attaches."

The committee reported there have been rare instances where the FBI has had reason to suspect that contacts between congressmen or high level executive branch officials with their Soviet counterparts might have involved the unauthorized (and presumably unwitting) disclosure of confidential information.

And, it reported, the FBI reported continued Soviet efforts "to penetrate" the American political system or develop "an agent of influence in American politics" or attempt to "influence the U.S. policy making structure."

THOSE ARE FANCY words for treason by extortion or possible duplicity, but they nevertheless sound a macabre note for a nation that has just finished emasculating substantial segments of its own intelligence gathering apparatus.

Evidently, the FBI and CIA have enjoyed some success in positively identifying some of the KGB and GRU spies who pervade the American landscape. The so called "illegals" are another problem not so expeditiously countered.

The illegal is a highly trained espionage specialist who has been slipped into the U. S. with a phony identity. Some have been trained in scientific or technical fields to give them easy access to employment in sensitive areas.

Detection of such individuals presents a serious problem to the FBI because once they enter the United States with either true or fraudulent identification, they become lost among the swarms of legitimate emigres that have been arriving here in increasing numbers.

In 1972, there were fewer than 500 Soviet immigrants to this country. In 1974, the number rose to 4,000.

"Relatively undetected," the FBI told the Church committee, "they [the illegals] are able to maintain contact with the foreign control by means of secret writing, microdots, and open signals in conventional communications which are not susceptible to discovery through conventional investigative measures."

Hang around. We'll report more about this tomorrow.

Bob Wiedrich

Soviet spies alert even at a funeral



UNLIKE THE AMERICAN intelligence services, Soviet spies know no restraints. Even the dead are not left unturned in the constant Communist quest for information.

Witness what occurred at the funeral of Richard Welch, the CIA station chief assassinated last December in Athens a month after his name had appeared on a list of alleged CIA operatives published in a Greek-English language newspaper.

As his remains were being lowered into a grave at Arlington National Cemetery, two East European diplomats were discovered hiding among members of the press corps and snapping pictures of CIA officials present to pay their last respects to a murdered colleague.

The two diplomats, members of a host of Soviet satellite personnel diplomatically accredited to the United States but actually functioning as secret espionage agents for their Kremlin masters, were doing their thing—identifying CIA agents.

MEANWHILE, ON Capitol Hill, congressional inquiries were taking the FBI and CIA to task for having done their thing while sometimes using techniques abhorrent in a free, democratic society.

The Welch incident, along with a wealth of other facts about the Soviet spy apparatus in the United States, is contained in the 12-volume report of the Senate Intelligence Committee that explored the reputed excesses of American intelligence last year. Chairman of the committee was Sen. Frank Church (D., Ida.).

The material is there to be read if one has the time and patience to find it.

Our only criticism is that the committee failed to give the data the same prominence afforded the indiscretions of the American intelligence community when it disclosed its findings last April.

Then the American people might have been provided a more balanced perspective from which to judge the actions of the FBI and CIA.

THE EAST EUROPEAN spies spotted at the Welch funeral were conducting the kind of operation that requires the U. S. to maintain a strong counterespionage structure.

Officials say there are so many Soviet and Soviet bloc agents operating here they are literally tripping over one another while performing their duties behind a variety of facades.

The photographs were being taken for a very special purpose—the harassment of U. S. intelligence agents by publishing their names and pictures at a later date to end their usefulness as spies.

It is only one of scores of techniques employed by Communist agents here to disrupt American efforts to keep them from stealing U. S. secrets.

Because this is a free society practicing detente with a traditional enemy, our

frontiers have been further opened to the encroachments of the two Soviet espionage organizations, the KGB and GRU, the civilian and military equivalents of our own services.

ACCORDING TO THE Church committee, the number of Soviets in this country has tripled since 1960 and still is increasing.

A counterintelligence specialist told the committee that the opening of deep water ports to Russian ships in 1972 gave Soviet intelligence "virtually complete geographic access to the United States."

In 1974 alone, more than 200 Soviet ships with more than 13,000 officers and men aboard called at 40 deep water ports in the U. S. And each crew member was a potential spy with a practically unlimited license to steal vital information or to contact spies already in residence here.

Although the committee report avoids going into specific detail, it strongly hints at the measures to which American intelligence agencies must resort in attempting to protect a storehouse of U. S. information.

It is a secret and sophisticated war in which the stakes are high—the national security of this country.

And to achieve this goal, the intelligence services are constantly striving to penetrate the Soviet services with infiltrators as the best way of finding out if their own ranks have been penetrated.

"Conducting counterespionage with penetration can be like shooting fish in a barrel," a veteran CIA operative told committee investigators. "Conducting counterespionage without the act of penetration is like fighting in the dark."

IN COMBATING the Soviet intelligence services, the CIA and FBI have found the recruitment of a so-called agent-in-place as the most effective means of gaining an earloft within the KGB and GRU.

Stated simply, that means buying off or otherwise corrupting or compromising a highly placed and venal member of the opposition.

An operation like that can be extremely fruitful, the committee found, because the turncoat is already trusted within the Soviet service and "his access to documents may be unquestioned."

Jack E. Dunlap, who worked at and spied on the National Security Agency in the 1960s, is a well known example of a Soviet agent-in-place within the U. S. intelligence service," the committee reported. "His handler was a Soviet Air Force attache at the Soviet Embassy in Washington."

"Of course, a single penetration can be worth an intelligence gold mine, as were Kim Philby for the Soviet Union and Col. Oleg Penkovsky for the United States."

Bob Wiedrich

10,000 reasons why we need CIA

THE UNITED STATES remains the prime target of the Soviet intelligence services, detente notwithstanding.

The U.S.S.R. carries out espionage and covert action operations on a large scale against this nation because it considers it its "main enemy."

And, to achieve these objectives both in the U.S. and abroad, Russia utilizes not only the talents of its two spy agencies — the KGB and the GRU — but the intelligence and security services of its Iron Curtain satellites.

MAIN TARGETS of the Soviet assault on the national security of the United States are federal government officials, youth, journalist, and trade organizations, and the business, scientific, and political communities.

The Kremlin has upgraded Red China to almost the same status of the U.S. as an espionage target since Soviet-Sino relations soured.

However, the United States remains the priority target of the KGB and GRU, so Soviet spies view detente with mixed emotions.

For while it has afforded them greater opportunities to plumb the U.S. treasury of national security secrets, it has also enhanced the American capability as a counterintelligence threat by opening doors on both sides of the Atlantic.

The above are among facts cited in the final report of the Senate Intelligence Committee chaired by Sen. Frank Church [D., Idaho], which explored charges the American intelligence community had exceeded its mandate.

The committee also investigated the threat posed to the United States by the Soviet spy apparatus. It failed, however, to give equal emphasis to the depredations of the KGB and its sister services when it unleashed its criticism of the CIA and FBI last April.

Nonetheless, there are shocking conclusions to be found in the chapters of the Senate report dealing with the Soviet intrusion here if one will take the time to root them out.

"The espionage activities of the Soviet Union and other Communist nations directed against the United States are extensive and relentless," the committee found.

And, to carry out such operations against the U.S. and other Western countries, the Kremlin maintains a clandestine establishment estimated to total 10,000 personnel by the CIA.

In addition, it supplements this flying phalanx of professional spies with the resources of its East European stooges and is said by the CIA to effectively control Fidel Castro's Cuban intelligence service, the DGI.

"According to the CIA, counterparts of the KGB and GRU in Eastern European countries serve in varying degrees as extensions of the Soviet anti-United States intelligence collection and covert action operations," the Church committee noted.

It said eight of the Communist satellites — Poland, Czechoslovakia, Hungary, Bulgaria, and East Germany — have Soviet intelligence advisers permanently stationed at their headquarters and the Russians have total access to all the data they develop.

"The CIA knows of operations against U.S. citizens and installations carried out by Eastern Europe intelligence services under Soviet guidance," the report declared.

Only the Romanians, Yugoslavians, and Albanians maintain a degree of independence from the Soviet intelligence services.

Using its own agents and those of European satellites is not the Kremlin's only bag, the committee reported.

The Foreign Tourists Department of the KGB works hard at recruiting as traitors the increasing numbers of American and other foreign tourists visiting the U.S.S.R. "through a large informant network" operating in hotels, restaurants, at campsites, and even service stations.

The GRU is no slouch either. Besides conducting electronic eavesdropping on the communications of strategic ground and air forces of the U.S. and its West European and Far Eastern allies, it also listens in on what the Red Chinese are saying.

And covert units stationed at Soviet embassies and trade missions intercept all manner of electronic communications, including coded messages and telephone calls.

Another of its duties is to train Africans, Arabs, Asians, and Latin Americans in the fine art of organizing underground nets and insurgent movements in their countries.

The training is carried out at camps and bases in the Soviet Union and, according to the report, the Central Committee of the Communist Party selects the individual students and political groups to be trained in subversion and terrorism.

BASED ON information compiled by American intelligence sources, the committee report drew a fascinating sketch of the organizational structure of the Russian espionage network directed at America.

The First Department of the First Chief Directorate of the KGB, the civilian Soviet agency, is charged with U.S. and Canadian operations.

"Traditionally, the numerical designation 'First' has been assigned to the department that operates against the 'main enemy' of the U.S.S.R.," the committee reported.

"The United States has been that enemy since World War II; but the People's Republic of China has since been elevated almost to this status by current attitudes if not by formal organization."